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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,922	04/27/2001	Fumito Takemoto	2091-0241P	8395
2292	7590	06/02/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			HANNETT, JAMES M	
			ART UNIT	PAPER NUMBER
			2612	
DATE MAILED: 06/02/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/842,922	Applicant(s) TAKEMOTO, FUMITO	
	Examiner James M. Hannett	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed 1/11/2005 have been fully considered but they are not persuasive. The applicant argues that the prior art teaches carrying out image processing on image data according to default processing conditions and processing conditions corresponding to a model of a digital camera. However, the applicant further states that the prior art does not teach the method of customizing the processing conditions.

The examiner disagrees with the applicant. Haraguchi et al as teaches on Column 10, Lines 62-67 and Column 11, Lines 1-17 carrying out image processing on image data according to default processing conditions and processing conditions corresponding to a model of a digital camera. Furthermore, Haraguchi et al teaches in Figure 7 and on Column 11, Lines 22-40 the use of manual controls (8a), which allow a user to manually manipulate the image displayed on the display. Haraguchi et al teaches that the image displayed on the display (CRT) is displayed in accordance with the parameters defined by the type of digital camera and that a user can manually adjust the image parameters of the image. Manually adjusting the color/density of the image via controls (8a) is viewed by the examiner as customizing the image processing conditions manually by a user.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

Art Unit: 2612

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1: Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,222,613

Haraguchi et al.

2: As for Claim 1, Haraguchi et al teaches on Column 10, Lines 62-67 and Column 11, Lines 1-17 an image processing method for obtaining processed image data by carrying out image processing on image data obtained by a digital camera according to default processing conditions and processing conditions corresponding to a model of the digital camera, the image processing method comprising the step of: customizing the processing conditions corresponding to the model of the digital camera. Haraguchi et al teaches in Figure 7 and on Column 11, Lines 22-40 the use of manual controls (8a), which allow a user to manually manipulate the image displayed on the display.

3: In regards to Claim 2, Haraguchi et al teaches on Column 11, Lines 13-16 the processing conditions corresponding to the model of the digital camera include density correction processing conditions, and color correction processing conditions each corresponding to the model of the digital camera.

4: As for Claim 3, Haraguchi et al teaches on Column 10, lines 62-67 the default processing conditions are customized by selection from customized default processing condition menus generated in advance. The default processing conditions are viewed by the examiner as the image processing steps that will be performed such as density and color processing. The customized default processing conditions are viewed as the color and density processing conditions that are customized according to the type of digital camera. Haraguchi et al teaches that the processing conditions are predetermined and stored in memory for each type of digital

camera. The stored list of processing conditions for each digital camera is viewed as menus generated in advance.

5: In regards to Claim 4, Haraguchi et al teaches on Column 10, lines 62-67 and Column 11, Lines 1-30 the processing conditions corresponding to the model of the digital camera are customized by selection from customized model processing condition menus generated in advance. The customized default processing conditions are viewed as the color and density processing conditions that are customized according to the type of digital camera. Haraguchi et al teaches that the processing conditions are predetermined and stored in memory for each type of digital camera. The stored list of processing conditions for each digital camera is viewed as menus generated in advance.

6: As for Claim 5, Haraguchi et al teaches on Column 10, Lines 62-67 and Column 11, Lines 1-17 and in Figure 5 an image processing apparatus for obtaining processed image data by carrying out image processing on image data obtained by a digital camera according to default processing conditions and processing conditions corresponding to a model of the digital camera. The default processing conditions are viewed by the examiner as the image processing steps that will be performed such as density and color processing. The processing conditions corresponding to a model of the digital camera are viewed as the color and density processing conditions that are customized according to the type of digital camera. Haraguchi et al teaches the image processing apparatus comprising: Haraguchi et al teaches default processing condition setting means for customizing the default processing conditions. The default processing condition setting means is viewed by the examiner as the circuitry and software that enables the processing conditions to be modified according to the stored image processing conditions for each type of

Art Unit: 2612

digital camera stored in memory (73). Haraguchi et al teaches model processing condition setting means for customizing the processing conditions corresponding to the model of the digital camera. Haraguchi et al teaches image processing means (70) for carrying out the image processing based on the default processing conditions (73) set by the default processing condition setting means and the processing conditions corresponding to the model of the digital camera set by the model processing condition setting means. Haraguchi et al teaches in Figure 7 and on Column 11, Lines 22-40 the use of manual controls (8a), which allow a user to manually manipulate the image displayed on the display.

7: In regards to Claim 6, Haraguchi et al teaches compensating parameters for different cameras are stored in the processor in advance. Haraguchi et al teaches that these parameters can be used if an image comes in that was taken by a particular camera. It is inherent in the system of Haraguchi et al that the compensating parameters have a name. If they didn't, they could not be selectively read out.

8: As for Claim 7, Haraguchi et al teaches on Column 11, Lines 13-16 the processing conditions corresponding to the model of the digital camera include density correction processing conditions, and color correction processing conditions each corresponding to the model of the digital camera.

9: In regards to Claim 8, Haraguchi et al teaches on Column 10, lines 62-67 the default processing conditions are customized by selection from customized default processing condition menus generated in advance. The default processing conditions are viewed by the examiner as the image processing steps that will be performed such as density and color processing. The customized default processing conditions are viewed as the color and density processing

Art Unit: 2612

conditions that are customized according to the type of digital camera. Haraguchi et al teaches that the processing conditions are predetermined and stored in memory for each type of digital camera. The stored list of processing conditions for each digital camera is viewed as menus generated in advance.

10: As for Claim 9, Haraguchi et al teaches on Column 10, lines 62-67 and Column 11, Lines 1-30 the model processing condition setting means sets the processing conditions corresponding to the model of the digital camera by selection from customized model processing condition menus generated in advance. The customized default processing conditions are viewed as the color and density processing conditions that are customized according to the type of digital camera. Haraguchi et al teaches that the processing conditions are predetermined and stored in memory for each type of digital camera. The stored list of processing conditions for each digital camera is viewed as menus generated in advance.

11: In regards to Claim 10, Haraguchi et al teaches on Column 10, Lines 62-67 and Column 11, Lines 1-17 a computer readable recording medium storing a program to cause a computer to execute an image processing method for obtaining processed image data by carrying out image processing on image data obtained by a digital camera according to default processing conditions and processing conditions corresponding to a model of the digital camera, the program comprising the procedure of: Customizing the processing conditions corresponding to the model of the digital camera. Haraguchi et al teaches in Figure 7 and on Column 11, Lines 22-40 the use of manual controls (8a), which allow a user to manually manipulate the image displayed on the display.

Art Unit: 2612

12: As for Claim 11, Haraguchi et al teaches on Column 10, Lines 62-67 and Column 11, Lines 1-17 an image processing condition setting method for setting image processing conditions used for carrying out image processing on image data obtained by a digital camera, the image processing condition setting method comprising the step of: Customizing processing conditions corresponding to a model of the digital camera. Haraguchi et al teaches in Figure 7 and on Column 11, Lines 22-40 the use of manual controls (8a), which allow a user to manually manipulate the image displayed on the display.

### *Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hannett whose telephone number is 571-272-7309. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

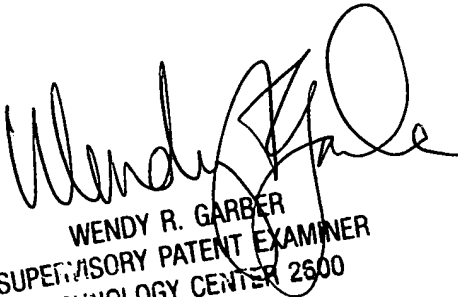
Art Unit: 2612

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571-272-7308. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett  
Examiner  
Art Unit 2612

JMH  
May 24, 2005



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